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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/889,258	09/21/2001	Hitoshi Yashio	33805	1453

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EXAMINER

SHEPARD, JUSTIN E

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/889,258	Applicant(s) YASHIO ET AL.	
	Examiner Justin E. Shepard	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/13/01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Response to Arguments

Applicant's arguments filed October 24th, 2005 have been fully considered but they are not persuasive.

On page 9, the applicant states "Schuler does not teach an "image list synthesis-display means for displaying a list of a plurality of stored encoded pictures in synthesized form on a single screen"." The examiner does not agree. While applicant notes column 8, and specific processing of Schuler as teaching labels not pictures, column 5, lines 43-47 show "segments" are frames or some collection there that also have some form of label. In column 8, lines 34-45 shows that "segments" are displayed at the same time. This is considered a synthesized image since it is "created" from multiple pictures.

Applicant further argues that Schuler does not "repeat" this process. Taking figure 1B, for example, picture segment 32 is divided temporally to parts 34-40 and then another type of division takes place with the other group of segments 42-68. Thus repeated division takes place.

Moreover the applicant specification shows that the division may be operator selected, precisely what Schuler teaches in column 5, lines 43-47.

Finally the applicant argues that Protheroe does not disclose, "further dividing the pictures." Protheroe discloses a system where the "user can select an element which is outside the primary region and moves it towards the primary region. As this happens the element will lengthen, thus increasing the temporal resolution." The examiner states

that moving a selected portion of video into a primary region to increase the temporal resolution is the same as selecting a clip and having the clip further divided. The claim further states that the picture is simultaneously divided and regenerated on a single screen, which is disclosed by Schuler. So using Protheroe as a teaching reference, it would have been obvious for one of ordinary skill in the art to see that selecting an clip to increase the temporal resolution, as taught by Protheroe, when added to the system disclosed by Schuler that the system would meet the limitations presented by the applicant.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Schuler.

2. Referring to claim 1, Schuler discloses a video retrieval apparatus comprising: image list synthesis-display means for displaying a list of a plurality of stored encoded pictures (figure 1B; column 9, lines 59-60) in synthesized form (column 10, lines 2-6) on a single screen; picture selection means for selecting an arbitrary image from a listed image group in order to select the encoded picture containing said image (column 2, lines 35-36); and picture division-synthesis-display means for dividing the selected

encoded picture on a time axis (column 7, lines 50-55) and repeatedly synthesizing (column 2, lines 54-55) and displaying each divided picture from the start to the end (column 2, line 62) on a single screen (column 2, lines 44-47) in order to perform simultaneous division and regeneration of the encoded picture.

3. Referring to claim 2, Schuler discloses a video retrieval apparatus comprising: image list synthesis-display means for displaying a list of a plurality of stored encoded pictures (figure 1B; column 9, lines 59-60) in synthesized form (column 10, lines 2-6) on a single screen; picture selection means for selecting an arbitrary image from a listed image group in order to select the encoded picture containing said image (column 2, lines 35-36); and picture division-synthesis-display means for simultaneously selecting several different time positions for the time axis (column 8, lines 60-65) of the selected encoded picture (column 7, lines 50-52, 60-65) and repeatedly synthesizing (column 2, lines 54-55) and regenerating respective pictures having said several times as regeneration start times (column 2, line 62) from the start on a single screen (column 2, lines 44-47) in order to perform simultaneous division and regeneration of the encoded pictures.

4. Referring to claim 6, Schuler discloses an apparatus according to claim 1, wherein the list of a plurality of stored encoded pictures are from different video sources (column 2, lines 25-27).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schuler in view of Edgar.

5. Referring to claim 3, Schuler discloses a video retrieval apparatus comprising: image list synthesis-display means for displaying a list of a plurality of stored encoded pictures (figure 1B; column 9, lines 59-60) in synthesized form (column 10, lines 2-6) on a single screen; picture selection means for selecting an arbitrary image from a listed image group in order to select the encoded picture containing said image (column 2, lines 35-36); and repeatedly synthesizing (column 2, lines 54-55) and displaying each divided picture from the start to the end (column 2, line 62) on a single screen (column 2, lines 44-47) in order to perform simultaneous division and regeneration of encoded pictures.

Schuler does not disclose a video retrieval apparatus where the picture division-synthesis-display means for detecting the scene switching points of the selected encoded picture based on the detected scene switching points.

Edgar discloses a video retrieval apparatus where the picture division-synthesis-display means for detecting the scene switching points of the selected encoded picture based on the detected scene switching points (column 3, lines 30-38)).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use Edgar's method of dividing up the pictures in the Schuler apparatus. The motivation for doing this would have been to simplify video editing by keeping video segments whole (column 3, lines 44-46)

Claims 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Schuler as applied to claims 1 and 2; and over Schuler in view of Edgar as applied to claim 3 above, both sets in further view of Protheroe.

6. Referring to claim 4, Schuler discloses a video retrieval apparatus according to any of the preceding claims, wherein a picture group is displayed in synthesized form and performs simultaneous division and regeneration of the resulting pictures on a single screen.

Schuler does not disclose a video retrieval apparatus according to any of the preceding claims wherein the picture division synthesis display further divides the pictures.

Protheroe discloses a video retrieval apparatus according to any of the preceding claims wherein the picture division synthesis display further divides the pictures (column 4, lines 27-31; Note: being able to select a clip and view it with more temporal detail is being interpreted as being equivalent to further dividing up a selected clip).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the further dividing method from Protheroe in the apparatus disclosed by Schuler. The motivation for doing so would to have been to be able to view multiple clips at multiple temporal scales (column 3, lines 44-54).

7. Referring to claim 5, Schuler discloses a video retrieval apparatus according to claim 1, wherein the picture division synthesis display means performs simultaneous division and regeneration of a plurality of encoded pictures on a single screen, said plurality of encoded pictures selected via the video selection means.

Schuler does not disclose a video retrieval apparatus according to claim 1, wherein the pictures are already divided.

Protheroe discloses a video retrieval apparatus according to claim 1, wherein the pictures are already divided (column 4, lines 27-31; Note: being able to select a clip and view it with more temporal detail is being interpreted as being equivalent to further dividing up a selected clip).

At the time of the invention it would have been obvious to a person of ordinary skill in the art to use the further dividing method from Protheroe in the apparatus disclosed by Schuler. The motivation for doing so would to have been to be able to view multiple clips at multiple temporal scales (column 3, lines 44-54).

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schuler in view of Abecassis.

Referring to claim 7, Schuler does not disclose an apparatus according to claim 1, wherein the list of a plurality of stored encoded pictures are retrieved using a key word search.

Abecassis discloses an apparatus according to claim 1, wherein the list of a plurality of stored encoded pictures are retrieved using a key word search (column 19, lines 65-67).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the keyword searching taught by Abecassis to the system disclosed by Schuler. The motivation would have been to enable a user to quickly have access to clips with similar subject matter (Abecassis: column 19, lines 65-67).

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Schuler in view of Takahashi.

Referring to claim 8, Schuler does not disclose an apparatus according to claim 1, wherein the list of a plurality of stored encoded pictures are moving images.

Takahashi discloses an apparatus according to claim 1, wherein the list of a plurality of stored encoded pictures are moving images (column 5, lines 63-65).

At the time of the invention it would have been obvious for one of ordinary skill in the art to add the video displaying taught by Takahashi to the system disclosed by Schuler. The motivation would have been to enable the user's search to be more efficient (Takahashi: column 5, line 65).

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mankovitz, U.S. Patent Number 5,541,738, Electronic Program Guide.

Arman, U.S. Patent Number 5,606,655, Method for Representing Contents of a Single Video Shot Using Frames.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

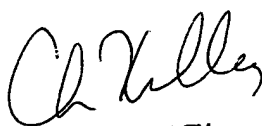
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin E. Shepard whose telephone number is (571) 272-5967. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on (571) 272-7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2617

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JS


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